

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, July 14, 2009

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, Brandon Buchanan, David Duax, Thomas Kemp, Kerry Kincaid, David Klinkhammer, Berlye Middleton, Jackie Pavelski, Thomas Vue and Andrew Werthmann. Absent: Council Member Bob Von Haden.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, July 14, 2009. At the request of Council, Item No 11-A, Approving the bid and proposal for Procurement No. 2009-36 Brokerage Services for Marketing / Sale of Various City Properties, was removed from the Consent Agenda for a separate vote. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp "to adopt the remainder of the consent resolution". Said motion passed by unanimous vote.

Council Member Von Haden arrived in the Council Chamber.

SALE OF CITY PROPERTIES

The City Council considered a resolution approving the bid and proposal for Procurement No. 2009-36 Brokerage Services for Marketing / Sale of Various City Properties. The properties included in the contract are 807 S Farwell Street, 1300 First Avenue and 2010 Sixth Street. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Pavelski "to postpone consideration of said resolution to not later than the second Council meeting in August". After further discussion the motion to postpone was withdrawn by the mover and seconder. Thereupon a motion was offered by Council Member Duax "to remove the property at 2010 Sixth Avenue from the contract for the present time and to add the additional interested purchaser for the First Avenue property to the list of excepted contacts the city has already received. Council members will provide the name of the First Avenue contact to staff". The mover and seconder accepted said motion as a friendly amendment. The Council then voted on the motion as amended. Said motion passed by unanimous vote.

SUMMERFEST 2009

The City Council considered a resolution authorizing Downtown Eau Claire, Inc. to sponsor Summerfest 2009 in Downtown Eau Claire along Barstow Street on August 7-8, 2009. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire City/County Tavern League, Sally Jo Birtzer, president, on August 8, 2009, within the fenced area of the City Parking Lot located at S Barstow Street / E Grand Avenue, for Summerfest. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Balow, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, and Vue. Nay: Council Members Buchanan, Duax, Kemp, and Werthmann.

LICENSES

The City Council considered a resolution granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Caribou Enterprises, Inc, d/b/a Milwaukee Burger Co., 2620 E. Clairemont Ave., for the "Grill-out Bash to Kickoff the NFL Season" on September 13, 2009. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution granting a Reserve Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to Asian Buffet, Inc., d/b/a Asia Palace, 4069 Commonwealth Ave., Binh L. Dong, agent. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp "to adopt said resolution". Said motion passed by unanimous vote.

IDENTITY THEFT PREVENTION

The City Council considered a resolution adopting a Red Flag Policy and establishing an Identity Theft Prevention Program for the City. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

APPOINTMENTS

The Council considered a resolution approving the following appointments and reappointments to various Boards, Commissions and Committees.

Administrative Review Board (two-year terms to expire June 30, 2011)

Kathleen Mitchell - new appointment

Sharon Leppert - new appointment

Affirmative Action Committee (three-year terms to expire June 30, 2012)

Jennifer Lokken – reappointment

Virginia Wolf - reappointment

Board of Heating Examiners (two-year terms to expire June 30, 2011)

David Davis – reappointment

Steven Fox - reappointment

Council Member Buchanan left the Council Chamber.

POLICE DEPARTMENT SOFTWARE

The Council considered a resolution approving the bid and proposal for Procurement No. 2009-14 - Mug Shot Software. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Pavelski "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Buchanan returned to the Council Chamber.

ENERGY GRANT – HOBBS ICE CENTER

The City Council considered a resolution accepting a Focus on Energy Staffing Grant for various energy efficiency projects at the Hobbs Municipal Ice Center and appropriating the funding. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

HOBBS ICE CENTER SCOREBOARD

The Council considered a resolution authorizing the purchase of a scoreboard for the O'Brien Rink at Hobbs Municipal Ice Center - Procurement No. 2009-48. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Middleton "to adopt said resolution". Said motion passed by unanimous vote.

LEASE AGREEMENT RENEWALS

The City Council considered a resolution authorizing the renewal of lease agreement with the American Little League for use of Fairfax Park. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution authorizing the renewal of lease agreement with the Friends of the Chippewa River State Trail for the sale of state trail passes. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution authorizing the renewal of the Regional Hazardous Materials Response Team Services contract with the State of Wisconsin. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Pavelski "to adopt said resolution". Said motion passed by unanimous vote.

CVTC SIGN

The City Council considered a resolution approving a General Site Development Plan in a P-Public District for a sign for CVTC West Campus as shown on Planning File #PZ-0906. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax “to amend said resolution by adding the following sentence: ‘Said approval is contingent upon the purchase of the site by CVTC and the rezoning of the site to P-Public’.” The mover and seconder accepted said motion as a friendly amendment. Said motion, as amended, passed by unanimous vote.

PROPERTY ACQUISITION

The City Council considered a resolution issuing a Jurisdictional Offer for the acquisition of property located west of London Road and south of Cross Street for a storm water detention pond. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Weerthmann “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Buchanan, Kemp, Kincaid, Klinkhammer, Middleton, Von Haden, and Vue. Nay: Council Members Balow, Duax, Pavelski and Werthmann.

ZONING

The City Council considered an ordinance rezoning property along the south side of USH 12, near Lyden Avenue, from TR-1A and TI-1 to I-1P and P-Public, and to adopt the General Development Plan for the property as shown on Planning File #Z-1445-09. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Duax “to adopt said ordinance”. Said motion passed by unanimous vote.

PARKING

The City Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled “Parking Prohibited,” by adding:

- Bellinger Street, both sides, from Spruce Street to a point 100 feet north of Madison Street;
 - Fifth Avenue, both sides, from Congress Street to Spruce Street;
 - Fulton Street, north side, from a point 50 feet east of Whipple Street to Fifth Avenue;
 - Fulton Street, south side, from Fifth Avenue to a point 80 feet west of Fifth Avenue;
- and amending Table IX entitled “Parking During Specified Hours - Two hours--Between nine a.m. and six p.m., except Sundays and holidays,” by adding:
- Fulton Street, south side, from Sixth Avenue to the west end.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited," by deleting:

- Bellinger Street, east side, from Randall Street to 75 feet south of Spruce Street;
- Bellinger Street, west side, from 125 feet south of Randall Street to 50 feet south of Spruce Street;
- Bellinger Street, both sides, from Randall Street to a point 100 feet north of Madison Street;
- Fifth Avenue, the east side, from 83 feet north of Chestnut Street to a point 111 feet south;
- Fifth Avenue, the west side, from a point 75 feet north of Chestnut Street to a point 180 feet south of Chestnut Street;
- Fulton Street, the north side, from a point 50 feet east of Sixth Avenue to a point 50 feet west of Sixth Avenue;

and amending Table IX entitled "Parking During Specified Hours - Two hours--Between nine a.m. and six p.m., except Sundays and holidays," by deleting:

- Bellinger Street, west side, from Randall Street to 125 feet south of Randall Street;

and amending Table IX entitled "Parking During Specified Hours - Two hours--Between six a.m. and six p.m.," by deleting:

- Fulton Street, south side, from Sixth Avenue to the west end.

Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Pavelski "to adopt said ordinance". Said motion passed by unanimous vote.

ZONING

The Council had first reading on an ordinance rezoning property at 1708 Ohm Avenue from C-2 to R-1 as shown on Planning File #Z-1446-09.

ADJOURNMENT

A motion was offered by Council Member Buchanan and seconded by Council Member Pavelski "that this meeting does now adjourn." Said motion passed by unanimous vote.

Adjournment: July 14, 2009

Time: 5:57 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk